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NEW YORK, NY 10112

EXAMINER

KANG, ROBERT N

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/987,529	Applicant(s) HINO, YASUHIRO	
	Examiner Robert N. Kang	Art Unit 2622	PNK

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☒ Claim(s) 4,10,11,14,17,26,29 and 32-37 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

Examiner's Note: The form PTO-1449 in the IDS of the submitted application is blank.

Specification

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

2. Claims 4, 10, 11, 14, 17, 26, 29, 32-37 are objected to because of the following informalities: The use of the word "informing" is grammatically incorrect. The modifier to "inform" or "informing" is the object which is being informed. For example, "informing, to the external apparatus, information" as is stated multiple times in the claims, is grammatically incorrect because the information is receiving the action of being informed, regardless of the preposition "to the external apparatus." Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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4. Claims 4, 10, 11, 14, 17, 26, 29, 32-37 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The limitation as stated in lines 5-8, "informing means for informing, to an external apparatus, information for acquiring data and layout information necessary for assigning an image based on the data to the recording medium" is non-enabling. "Information for acquiring data and layout information necessary [for printing]", broadly defined, can be interpreted as any information sent by the printer for printing. The claim's breadth must be reduced.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Nehab (US-PAT 6029182).

Regarding claims 1 and 17, Nehab discloses both a printing method and system which meets the aforementioned claim limitations. Nehab discloses in Figure 1 a printer 7, communicably attached to host PC 1 via printer interface 10 as shown in figure 2. By definition, a printer qualifies as "an image forming apparatus capable of outputting an image on a recording medium based on data described with a structured description language." This description language may either be a PDL file, hypertext, simple text, markup language, or bit maps generated from the printer device driver. Specifically regarding Nehab's patented system, Nehab discloses in column 13, lines 22-29, an HTML formatter comprised in the WebFormatter embodiment, which "extracts data from a web page, strips out extemporaneous data from the extracted data, and reformats the data into a formatted document. The formatted document can then be printed, stored in an RTF (Rich Text Format) file, or edited in any RTF compatible editor." Therefore printed data on the medium "is described by a structured description language."

Regarding the second limitation, which requires that the image forming device possess "an informing means for informing, to an external apparatus, information for acquiring data and layout information necessary for assigning an image based on the data to the recording medium," Nehab discloses a WebPrinter program with a graphical user interface as shown in figure 6. As described in column 10, lines 65-67, the "web printer 17 instructs web reader 34 to connect to the web via web server 35 in order to access various web sites and to retrieve data from those sites." Therefore, the image forming apparatus,

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comprised of the printer as well as the WebPrinter application, provides an external apparatus with information regarding the acquisition of data to be printed.

In regards to the third limitation, Nehab states in column 10, lines 66-67, that "Web reader 34 sends the retrieved data to web printer 17." Nehab further discloses in column 12 lines, 59-60, "in step 803, [of the flow chart of figure 8] "the formatted and fully personalized newspaper is sent to output interface 40. This interface could be printer interface 10 to printer 7." Therefore the image forming apparatus comprised of the printer and the WebPrinter application possesses a means "for acquiring data outputted from said external apparatus according to the information by said informing means." Therefore the limitations of claims 1 and 17 are met.

With regards to claims 32 and 35, Nehab's method and image forming system expressly anticipates the applicant's method. Additionally, Nehab explicitly states that his printing system may be embodied within an application program stored within a memory medium. Nehab states in column 5 line 59 to column 6 line 6, "Main memory 14 interfaces with computer bus 9 so as to provide random access memory storage for use by CPU 8 when executing an application such as personal-news-profile editor 16 or Web printer 17. More specifically, CPU 8 loads these software applications from disk drive 5 into main memory 14 and executes the software applications out of main memory 14. In accordance with user instructions, stored application programs are activated which permit processing and manipulation of data. Typically, the software

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applications stored on disk drive 5, such as personal-news-profile editor 16, Web printer 17, and HTML formatter 18, have been stored on disk drive 5 by downloading the software applications from a computer-readable medium such as a floppy disk or CD ROM, or by downloading the software applications from a computer bulletin board." Therefore the Nehab patent specifically predicts the memory medium storing a program as claimed by claim 32 as well as the program to be executed as claimed in claim 35.

With regards to claims 2 and 18, Nehab states in column 10, lines 48-50, "figure 6 is a representational block diagram of the matter by which the invention retrieves articles from the web according to personal-news-profile 19." Figure 6 shows that the information sent by the web printer 17 to the web reader 34 is determined based upon the personal-news-profile 19. Nehab discloses in column 7, lines 24-26, "to create the personal-news-profile19, personal-news-profile editor 16 communicates with personal-news-profile 19, site profile 20, and web reader 34." Nehab also states in column 7, lines 27-28, "personal-news-profile 19 contains information as to what sites to access, what sections to retrieve from those sites, rules to be used to determine what data to extract from the sections and the article therein, rules to determine how to exclude links, and newspaper format information." Therefore, the "information for acquiring the data and layout information" transmitted from the image forming apparatus to the web reader 34 is also "information for identifying the data."

Regarding claims 3 and 19, Nehab states in column 7 lines 39-42 "because general site information is stored in site profile 20, personal-news-

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profile 19 can refer to the general site information with reference to site profile, 20, saving space in the personal-news-profile.” Therefore the information in site profile 20 is incorporated by reference into the personal news profile provided by the informing means. As seen in appendix 1, the information for identifying the data includes both a site URL as well as a section/document URL, thus meeting the limitation “information for acquiring the data is represented by URI,” since the two terms both identify a web resource by address/location.

With regards to claims 4 and 20, as defined in previous claim rejections, Nehab's image forming apparatus is comprised of the printer and the WebPrinter application. Therefore, the connection through program memory between the WebPrinter application, the personal-news-profile 19, and the site profile 20 qualifies as a reception means. In response to a print command executed by the user to the WebPrinter application, the WebPrinter program in step 502 of figure 5a gets the user's personal ID, which includes “information indicating the position of storage data and said layout information.” This information is then transmitted through the informing means to the web reader and thus, the external web server apparatus, as disclosed above. Therefore “the informing means informs information included in said print instruction.”

Regarding claims 5 and 21, the web reader retrieves 34 retrieves document data via a web server 35 via network interface 11a. As stated by Nehab in column 5, lines 47-50, “network interface 11a is used to connect computing equipment 1 to a local area network (LAN) or to a wide area network

(WAN) such as the World Wide Web.” Therefore, the “acquisition means acquires the data through a network.”

Regarding claims 6 and 22, Nehab depicts in appendix 1 within each personal-news-profile a field is listed for assembling the document in accordance with a given template, as shown in the last line of the sample user profile. Nehab states in column 8, lines 15-18, “each document template specifies page layout information, font information, style information, colors, etc. for the title, indices/headings, subheadings, text and the like for a personalized newspaper.” Broadly defined, “page layout information” includes both sheet size as well as the direction of printing (portrait/landscape). This can be evidenced by simply opening the advanced page layout properties in the print dialogue box of Microsoft Word 7.0, released in 1998, or any other printer driver or graphics/word processing program released after 1998. Therefore, Nehab's invention broadly encompasses the recited limitations of claims 6 and 22.

With regards to claims 7 and 23, Nehab discloses in column 7, lines 27-28, “a personal-news-profile 19 contains information as to what sites to access, what sections to retrieve from those sites, rules to be used to determine what data to extract from the sections and the article therein, rules to determine how to exclude links, and newspaper format information.” By determining which sections to retrieve from a given website, broadly defined, the personal-news-profile executes the function of “designating a page [or pages] and said acquisition means acquires data corresponding to the designated page [or pages].” Furthermore, since the personal-news-profile encompasses both the

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data acquisition as well as the page layout information, it may be asserted that "layout information is information designating a page."

Regarding claims 8 and 24, Nehab discloses in column 13, lines 22-29, an HTML formatter comprised in the WebFormatter embodiment, which "extracts data from a web page, strips out extemporaneous data from the extracted data, and reformats the data into a formatted document. The formatted document can then be printed, stored in an RTF (Rich Text Format) file, or edited in any RTF compatible editor." Therefore, the "said structured description language is either XML or HTML."

In regards to claims 9 and 25, the examiner has defined the "image forming apparatus" used in the claim rejections to embody the following components of Nehab's patent: the application software 15, the printer interface 10, and the printer 7. Therefore, "the image forming apparatus according to claim 1" qualifies as "a printing apparatus." Additionally, the method claimed in claim 17 is carried out within a printing apparatus.

In regards to the independent claim 10, Nehab discloses both a printing method and system which meets the claim limitations. Nehab discloses in Figure 1 a printer 7, communicably attached to host PC 1 via printer interface 10 as shown in figure 2. By definition, a printer qualifies as "an image forming apparatus capable of outputting an image on a recording medium based on data described with a structured description language." This description language may either be a PDL file, hypertext, simple text, markup language, or bit maps

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generated from the printer device driver. Specifically regarding Nehab's patented system, Nehab discloses in column 13, lines 22-29, an HTML formatter comprised in the WebFormatter embodiment, which "extracts data from a web page, strips out extemporaneous data from the extracted data, and reformats the data into a formatted document. The formatted document can then be printed, stored in an RTF (Rich Text Format) file, or edited in any RTF compatible editor." Therefore printed data on the medium "is described by a structured description language."

Regarding the second limitation, which requires that the image forming device possess "an informing means for informing, to an external apparatus, information for acquiring data and layout information necessary for assigning an image based on the data to the recording medium," Nehab discloses a WebPrinter program with a graphical user interface as shown in figure 6. As described in column 10, lines 65-67, the "web printer 17 instructs web reader 34 to connect to the web via web server 35 in order to access various web sites and to retrieve data from those sites." Therefore, the image forming apparatus, comprised of the printer as well as the WebPrinter application, provides an external apparatus with information regarding the acquisition of data to be printed.

In regards to the third limitation, Nehab states in column 10, lines 66-67, that "Web reader 34 sends the retrieved data to web printer 17." Nehab further discloses in column 12 lines, 59-60, "in step 803, [of the flow chart of figure 8] "the formatted and fully personalized newspaper is sent to output interface 40.

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This interface could be printer interface 10 to printer 7.” Therefore the image forming apparatus comprised of the printer and the WebPrinter application possesses a means “for acquiring data outputted from said external apparatus according to the information by said informing means.” Therefore the limitations of claims 1 and 17 are met.

Regarding the fourth and fifth limitations, Nehab discloses in column 11, lines, 29-24, a formatter 42 embodied within web printer 17, which “is responsible for flattening the extracted data tree into a linear document and formatting the linear document into a personalized newspaper. Formatter 42 performs these functions in accordance with the print criteria and format information (i.e., newspaper template) indicated in personal-news-profile 19.” This is a “conversion means for converting the acquired data based on said layout information.” Nehab, however, implements his conversion means within the application program of the image forming apparatus as defined in previous rejections, thus it is not an “external apparatus” as claimed in the preamble of claim 10. However, Nehab states in column 19 lines 54-59, “it is to be understood that the invention is not limited to the above described embodiments and modifications thereto, and that various changes and modifications may be made by those of ordinary skill in the art without departing from the spirit and scope of the appended claims.” Therefore, to include the formatter 42 in the application memory of the web server 35 would have been an obvious modification to reduce processor load on the image forming apparatus and

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enable widespread distribution to various image forming apparatuses, which does not depart from the spirit and scope of the claims.

Specifically regarding the fifth limitation, Nehab depicts in figure 6 a distinct data transmission path to and from the image forming apparatus. The network interface 11a connects the web server 35 to the image forming apparatus application program 17. In the event of a simple modification as recited in the preceding paragraph, the "transfer means" through network interface 11a is used "for transferring the converted data from said external apparatus to said image forming apparatus."

Regarding the final limitation of claim 10, Nehab discloses in column 12 lines, 59-60, "in step 803, [of the flow chart of figure 8] "the formatted and fully personalized newspaper is sent to output interface 40. This interface could be printer interface 10 to printer 7." Printer engines as commonly known in the art receive and interpret print commands from the device driver into patterns and locations to dispense print toner or ink to form an image; this process qualifies as "analyzing the transferred data." Therefore, Nehab's invention possesses "an output means for outputting an image by analyzing the transferred data."

Regarding claims 11 and 26, Nehab discloses both a printing method and system which meets the claim limitations. Nehab discloses in Figure 1 a printer 7, communicably attached to host PC 1 via printer interface 10 as shown in figure 2. By definition, a printer qualifies as "an image forming apparatus capable of outputting an image on a recording medium based on data described

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with a structured description language.” This description language may either be a PDL file, hypertext, simple text, markup language, or bit maps generated from the printer device driver. Specifically regarding Nehab’s patented system, Nehab discloses in column 13, lines 22-29, an HTML formatter comprised in the WebFormatter embodiment, which “extracts data from a web page, strips out extemporaneous data from the extracted data, and reformats the data into a formatted document. The formatted document can then be printed, stored in an RTF (Rich Text Format) file, or edited in any RTF compatible editor.” Therefore printed data on the medium “is described by a structured description language.”

In regards to the first limitation, the image forming apparatus, defined as in previous rejections as the printer 7, the printer interface 10, the output interface 40, and the software application 15, receives a print instruction in step S500 of figure 5a. Nehab states in column 8, lines 27-28, “In step S500 of FIG 5A, a personal-news-profile editor 16 is launched by a user.” As stated numerous times in this office action, the personal-news-profile 16 comprises layout and acquisition information, which is gathered for the first time from a user in steps S505-S510. Therefore, the image forming apparatus’s “reception means” is the graphical user interface between the user and the application as shown in figures 9a-9e and as described by Nehab in column 9, lines 36-38, “personal-news-profile editor 16 may be invoked as a graphical user interface which allows a user to edit a previously stored personal-news-profile.”

Regarding the second limitation, the layout editor 39 functions as a “changing means for changing the layout information received by the reception

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means" from the user. Nehab states in column 10, lines 12-14, that the "layout editor 39 is capable of determining the types of fonts and colors available to the user based on the system's printer capabilities." Therefore layout information received in the form of the personal-news-profile 19 from the user is changed by the layout editor 39.

Regarding the third limitation, which requires that the image forming device possess "an informing means for informing, to an external apparatus, layout information changed by said changing means." Nehab discloses a WebPrinter program with a graphical user interface as shown in figure 6. As described in column 10, lines 65-67, the "web printer 17 instructs web reader 34 to connect to the web via web server 35 in order to access various web sites and to retrieve data from those sites." Therefore, the image forming apparatus, comprised of the printer as well as the WebPrinter application, provides an external apparatus with information regarding the acquisition of data to be printed.

In regards to the fourth limitation, Nehab states in column 10, lines 66-67, that "Web reader 34 sends the retrieved data to web printer 17." Nehab further discloses in column 12 lines, 59-60, "in step 803, [of the flow chart of figure 8] "the formatted and fully personalized newspaper is sent to output interface 40. This interface could be printer interface 10 to printer 7." Therefore the image forming apparatus comprised of the printer and the WebPrinter application possesses a means "for acquiring data outputted from said external apparatus

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according to the information by said informing means." Therefore the limitations of claims 11 and 26 are met.

With regards to claims 33 and 36, Nehab's method and image forming system expressly anticipates the applicant's method. Additionally, Nehab explicitly states that his printing system may be embodied within an application program stored within a memory medium. Nehab states in column 5 line 59 to column 6 line 6, "Main memory 14 interfaces with computer bus 9 so as to provide random access memory storage for use by CPU 8 when executing an application such as personal-news-profile editor 16 or Web printer 17. More specifically, CPU 8 loads these software applications from disk drive 5 into main memory 14 and executes the software applications out of main memory 14. In accordance with user instructions, stored application programs are activated which permit processing and manipulation of data. Typically, the software applications stored on disk drive 5, such as personal-news-profile editor 16, Web printer 17, and HTML formatter 18, have been stored on disk drive 5 by downloading the software applications from a computer-readable medium such as a floppy disk or CD ROM, or by downloading the software applications from a computer bulletin board." Therefore the Nehab patent specifically predicts the memory medium storing a program as claimed by claim 33 as well as the program to be executed as claimed in claim 36.

Regarding claims 12 and 27, Nehab states in column 10, lines 12-14, that the "layout editor 39 is capable of determining the types of fonts and colors available to the user based on the system's printer capabilities." Thus the

“changing means changes said layout information according to the function or status of said image forming apparatus.”

With regards to claims 13 and 28, Nehab depicts in appendix 1 within each personal-news-profile, a field is listed for assembling the document in accordance with a given template, as shown in the last line of the sample user profile. Nehab states in column 8, lines 15-18, “each document template specifies page layout information, font information, style information, colors, etc. for the title, indices/headings, subheadings, text and the like for a personalized newspaper.” Broadly defined, “page layout information” includes paper sheet size. This can be evidenced by simply opening the advanced page layout properties in the print dialogue box of Microsoft Word 7.0, released in 1998, or any other printer driver or graphics/word processing program released after 1998. Therefore, Nehab’s invention broadly encompasses the recited limitations of claims 13 and 28.

Regarding claims 14 and 29, Nehab discloses both a printing method and system which meets the claim limitations. Nehab discloses in Figure 1 a printer 7, communicably attached to host PC 1 via printer interface 10 as shown in figure 2. By definition, a printer qualifies as “an image forming apparatus capable of outputting an image on a recording medium based on data described with a structured description language.” This description language may either be a PDL file, hypertext, simple text, markup language, or bit maps generated from the printer device driver. Specifically regarding Nehab’s

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patented system, Nehab discloses in column 13, lines 22-29, an HTML formatter comprised in the WebFormatter embodiment, which “extracts data from a web page, strips out extemporaneous data from the extracted data, and reformats the data into a formatted document. The formatted document can then be printed, stored in an RTF (Rich Text Format) file, or edited in any RTF compatible editor.” Therefore printed data on the medium “is described by a structured description language.”

In regards to the first limitation, the image forming apparatus, defined as in previous rejections as the printer 7, the printer interface 10, the output interface 40, and the software application 15, receives a “print instruction” in step S500 of figure 5a. Nehab states in column 8, lines 27-28, “In step S500 of FIG 5A, a personal-news-profile editor 16 is launched by a user.” The step S500 begins the automatic download process, which results in printing the personalized newspaper. Therefore, the image forming apparatus’s “reception means” is the graphical user interface between the user and the application as shown in figures 9a-9e and as described by Nehab in column 9, lines 36-38, “personal-news-profile editor 16 may be invoked as a graphical user interface which allows a user to edit a previously stored personal-news-profile.”

Regarding the second limitation, Nehab discloses in column 6, lines 63-65, a formatter 42 implemented within the web printer 17 which formats the linear document “according to user-specified (or default) formatting instructions into formatted document 33.” This default formatting instruction is utilized when a user template is not defined as shown in appendix 2, column 22, line 30. The

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default format is determined by the format editor 39 shown in figure 4. Therefore the image forming apparatus and method possesses a "determination means for determining layout information required for assigning an image based on the data to the recording medium, in case the received print instruction does not include said layout information."

Regarding the third limitation, which requires that the image forming device possess "an informing means for informing, to an external apparatus, layout information changed by said changing means." Nehab discloses a WebPrinter program with a graphical user interface as shown in figure 6. As described in column 10, lines 65-67, the "web printer 17 instructs web reader 34 to connect to the web via web server 35 in order to access various web sites and to retrieve data from those sites." Therefore, the image forming apparatus, comprised of the printer as well as the WebPrinter application, provides an external apparatus with information regarding the acquisition of data to be printed.

In regards to the fourth limitation, Nehab states in column 10, lines 66-67, that "Web reader 34 sends the retrieved data to web printer 17." Nehab further discloses in column 12 lines, 59-60, "in step 803, [of the flow chart of figure 8] "the formatted and fully personalized newspaper is sent to output interface 40. This interface could be printer interface 10 to printer 7." Therefore the image forming apparatus comprised of the printer and the WebPrinter application possesses a means "for acquiring data outputted from said external apparatus

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according to the information by said informing means." Therefore the limitations of claims 14 and 29 are met.

With regards to claims 34 and 37, Nehab's method and image forming system expressly anticipates the applicant's method. Additionally, Nehab explicitly states that his printing system may be embodied within an application program stored within a memory medium. Nehab states in column 5 line 59 to column 6 line 6, "Main memory 14 interfaces with computer bus 9 so as to provide random access memory storage for use by CPU 8 when executing an application such as personal-news-profile editor 16 or Web printer 17. More specifically, CPU 8 loads these software applications from disk drive 5 into main memory 14 and executes the software applications out of main memory 14. In accordance with user instructions, stored application programs are activated which permit processing and manipulation of data. Typically, the software applications stored on disk drive 5, such as personal-news-profile editor 16, Web printer 17, and HTML formatter 18, have been stored on disk drive 5 by downloading the software applications from a computer-readable medium such as a floppy disk or CD ROM, or by downloading the software applications from a computer bulletin board." Therefore the Nehab patent specifically predicts the memory medium storing a program as claimed by claim 34 as well as the program to be executed as claimed in claim 37.

In regards to claims 15 and 30, Nehab states in column 10, lines 12-14, that the "layout editor 39 is capable of determining the types of fonts and colors

available to the user based on the system's printer capabilities." Thus the "determination means determines said layout information according to the function or status of said image forming apparatus."

Regarding claims 16 and 31, Nehab depicts in appendix 1 within each personal-news-profile, a field is listed for assembling the document in accordance with a given template, as shown in the last line of the sample user profile. Nehab states in column 8, lines 15-18, "each document template specifies page layout information, font information, style information, colors, etc. for the title, indices/headings, subheadings, text and the like for a personalized newspaper." Broadly defined, "page layout information" includes paper sheet size. This can be evidenced by simply opening the advanced page layout properties in the print dialogue box of Microsoft Word 7.0, released in 1998, or any other printer driver or graphics/word processing program released after 1998. Therefore, Nehab's invention broadly encompasses the recited limitations of claims 16 and 31.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Yacoub (US-PAT 6452692) discloses a networked print server which utilizes reception and transmission means within the image forming device to the external print apparatus. Benson (US-PAT 6046818) describes a method and apparatus for rendering one or more page descriptions of pages to be printed by a printing device on a sheet. Stone (US-PAT 6101510) discloses a

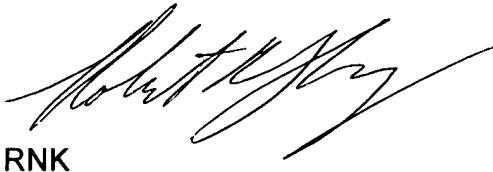
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web browser control which allows coders to incorporate browser functionality into any application program.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert N. Kang whose telephone number is (571) 272-0593. The examiner can normally be reached on M-F 8-5.

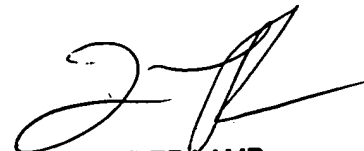
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 571-273-8300 (toll-free).



Handwritten signature of Robert N. Kang.

RNK



Handwritten signature of Twyler Lamb.

TWYLER LAMB
PRIMARY EXAMINER

